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October 9, 2020

VIA E.C.F.

Honorable Laura Taylor Swain
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: D'Anthony Jamison v. Det. Nathan Cavada,
17 Civ. 1764 (LTS) (SDA)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney representing New York City Police Department Detective Nathan Cavada in the above referenced matter. The Defendant writes to respectfully request an extension of time for the parties to submit their joint pre-trial order ("JPTO"), joint proposed request to charge, each of their proposed *voir dire*, and each of their proposed verdict forms from October 16, 2020, to November 6, 2020. This is the Defendant's first request for an extension of time to submit the JPTO and second request for an extension of time to submit the joint proposed request to charge and each of the parties' proposed *voir dire* and verdict forms. The Plaintiff consents to the Defendant's instant request.

On July 29, 2020, the Court scheduled the Final Pre-Trial Conference for October 9, 2020, and ordered that certain pre-trial documents be submitted to the Court by October 2, 2020. (See Dkt. No. 96.)

On September 29, 2020, Plaintiff wrote to the Court, requesting an adjournment of the October 9, 2020 Final Pre-Trial Conference and a two-week extension of time for the parties to submit their proposed JPTO from October 2, 2020, to October 16, 2020. (See Dkt. No. 106.) That same day, the Court granted the Plaintiff's request, extending the deadline for the parties to submit their JPTO until October 16, 2020. (See Dkt. No. 107.) However, the Plaintiff's September 29, 2020 Application did not include a request to extend the deadline for the other pre-trial documents that were due to the Court on October 2, 2020, *i.e.*: (a) each party's proposed *voir dire*, with the other party's noted objections; (b) each party's proposed verdict form, with

the other party's noted objections; and (c) the parties' joint proposed request to charge. (See Dkt. No. 106.)

On September 30, 2020, the Defendant wrote to the Court, respectfully seeking a corresponding extension of time for the parties to submit their joint proposed request to charge, each of their proposed *voir dire*, and each of their proposed verdict forms from October 2, 2020, to October 16, 2020. (See Dkt. No. 108.) On October 1, 2020, the Court granted the Defendant's request. (See Dkt. No. 109.)

Thus, the JPTO, joint proposed request to charge, and each of the parties' proposed *voir dire* and verdict forms are currently due on October 16, 2020. The parties are working diligently to prepare these submissions. Nevertheless, for reasons similar to those detailed in the Plaintiff's September 23 and 29, 2020 Letters (Dkt. Nos. 104 and 106), and in accordance with the Court's Pre-Trial Scheduling Order, which ordered the parties to submit the JPTO, joint proposed request to charge, and each of the parties' proposed *voir dire* and verdict forms, "no later than seven (7) days before the Final Pre-Trial Conference," which is currently scheduled for November 13, 2020, the parties require more time to finalize the parties' submissions, which includes, but is not limited to, receiving drafts of joint documents from opposing counsel and reviewing and proposing edits, if any. Accordingly, the Defendant respectfully requests that the time for the parties to submit the JPTO, joint proposed request to charge, and each of the parties' proposed *voir dire* and verdict forms be extended from October 16, 2020, to November 6, 2020.

The Defendant thanks the Court for its consideration.

The requested extension is granted. DE# 112 resolved.

SO ORDERED.

10/9/2020

/s/ Laura Taylor Swain, USDJ

Respectfully submitted,

/s/ Nicolette Pellegrino

Nicolette Pellegrino

Assistant Corporation Counsel

Special Federal Litigation Division

CC: VIA E.C.F.
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